

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

HENRY WATKINS,	:	
	:	NO. 02-CV-2881
Plaintiff,	:	
	:	
v.	:	
	:	
PENNSYLVANIA BOARD OF	:	
PROBATION & PAROLE,	:	
EDWARD JONES, and MICHAEL BUKATA	:	
	:	
Defendants.	:	
	:	

**DEFENDANTS' MOTION FOR PROTECTIVE ORDER  
PURSUANT TO FED. R. CIV. P. 26(c)**

Defendants, Pennsylvania Board of Probation and Parole (the "Board"), Willie E. Jones (improperly pled as Edward Jones) ("Mr. Jones"), and Michael Bukata ("Mr. Bukata") (collectively the "Defendants") by their attorneys, respectfully submit this Motion for Protective Order Pursuant to Fed. R. Civ. P. 26(c) and in support thereof avers as follows:

1. This is a race discrimination case. Plaintiff contends that Mr. Jones and Mr. Bukata mistreated him from approximately 1999 through 2001 and terminated his employment because he is an African American. The alleged discrimination occurred in the Board's Philadelphia office.

2. On October 14, 2002, Plaintiff noticed the deposition of Allen Castor ("Mr. Castor") for November 22, 2002.

3. Mr. Castor has no involvement in any of the challenged

decisions and is not identified in Plaintiff's complaint or any of the nearly 4,000 pages of documents already produced as part of this case.

5. Defendants seek a protective order to prevent Plaintiff from taking the deposition of Mr. Castor because Mr. Castor has nothing to do with any of the issues in this case.

6. Thus, Plaintiff should be precluded from conducting Mr. Castor's deposition because by it he seeks information which is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence.

7. Good cause and justice require the entry of a protective order precluding Plaintiff from conducting the depositions so that the Defendants and the subpoenaed individuals do not suffer undue burden, expense, annoyance or harassment.

8. In accordance with Fed. R. Civ. P. 26(c), counsel for the Defendants has made a good faith attempt to confer with Plaintiff's counsel in an effort to resolve this dispute without Court action.

WHEREFORE, for the foregoing reasons and those stated in the accompanying Memorandum of Law, Defendants respectfully request that this Court grant their motion and enter an Order precluding Plaintiff from conducting the deposition of Allen Castor.

Respectfully submitted,

MILLER, ALFANO &amp; RASPANTI, P.C.

By:           /s/            
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Attorneys for Defendants,  
Pennsylvania Board of Probation  
and Parole, Willie E. Jones,  
and Michael Bukata

Dated: November 18, 2002

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